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\$1M settlement reached in Taser death suit

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Gregory Towns

SOUTH FULTON COUNTY, Ga. —

The family of the man who died after East Point police shocked him with a Taser is finally getting some measure of justice.

Channel 2 investigative reporter Mark Winne has confirmed the [family and East Point have reached a million-dollar settlement](#).

“The civil lawsuit that we filed on behalf of Gregory Towns’ estate and his heir has been settled,” said the family’s attorney L. Chris Stewart.

Stewart says two then-East Point police officers pushed Towns past his limits when they [stunned him repeatedly prior to his death](#) in April.

Now his family's lawyers have taken East Point's insurance company to the city's policy limits in negotiating a settlement.

“The city of East Point's insurer has settled the case for the full maximum insurance policy available,” Stewart said.

[He says the settlement covers the city of East Point](#) and the two officers involved.

A city official says the city's insurance policy limit is \$1,000,000.

“They’ve also confirmed to us that every East Point officer who has a Taser has been retrained and certified, which is a huge success,” Stewart said.

Channel 2 Action News interviewed Towns’ mother last summer.

“If this can happen to my son, it can happen to your son,” she said

She says she’s leaning on God for her strength.

Meanwhile, Stewart said a confidentiality agreement the other side insisted on limits what he can say, but he indicated the information he provided Channel 2 Action News about the content of the settlement itself was agreed upon by both sides.

“They don’t admit fault though?” asked Winne.

“It’s not about admitting fault. The case is settled,” said Stewart.

“We wanted some good to come out of this. It has, in our opinion,” said Eugene Felton, another attorney for the victim’s family.

Winne was told one sergeant resigned and a corporal was terminated. The corporal is appealing his termination through attorneys with the Police Benevolent Association. His hearing is set for Dec. 9. An attorney says the corporal denies the Taser stun caused Towns’ death or that his actions contributed in any way to Towns’ death.

<http://www.wsbtv.com/news/news/local/1m-settlement-reached-taser-death-suit/nh2zd/>

EAST POINT, Ga. —

Channel 2 has [obtained an internal report](#) on how East Point police handled the arrest of a man who died after repeated jolts from an officer’s Taser.

A lawsuit, filed by the family of Gregory Towns, [claims officer Tased him up to 13 times while he was in handcuffs.](#)

Channel 2’s Mark Winne received the internal affairs report from the Police Benevolent Association legal team representing an officer.

Attorney Dale Preiser said they "have nothing to hide."

The report apparently contains summaries, not verbatim interviews.

The coversheet said "East Point Police Department Internal Affairs Division Reference: In-Custody Death."

The April death of Towns has since had plenty of external repercussions including wrongful a lawsuit against the city of East Point and two officers.

Lawyer Chris Stewart says he can prove Towns was not resisting when was stunned repeatedly with Tasers while handcuffed shortly before dying.

The internal affairs report seems to give new insight into the views of Sgt. Marcus Eberhart and Cpl. Howard Weems on using their Tasers.

"As a former Army medic Sgt. Eberhart said he never saw the suspect show any signs of medical distress," state the report.

It suggests Weems described the suspect as "alert" and indicated he "never mentioned any difficulty breathing, or issue with his heart."

On the other hand, the internal affairs report corroborates that Towns complained repeatedly he was tired.

It suggests Officer Irving Johnson, who chased Towns after a domestic call, "requested a signal 4, ambulance, for the subject after complaining of just being tired."

Then later, "the subject continued to complain about being tired." Johnson also described him as "just non-compliant; stubborn."

A summary of an interview with Eberhart said at one point, "meanwhile the subject just kept complaining about being tired."

The report suggests Officer Nicole Allen said the suspect got up with help, walked several feet then stopped. "A process that repeated itself at least twice."

"She said she did not understand, and became frustrated, as to why they would Taser the suspect while only getting the same results."

Channel 2 learned Eberhart resigned in lieu of termination at the conclusion of an internal investigation into Towns' death.

Preiser said Weems continues to fight his proposed firing and he plans to get recordings of the internal affairs statements to confirm the report

<http://www.wsbtv.com/news/news/local/new-report-sheds-new-light-police-taser-death-east/nhCQC/>

Source: Former officers indicted in Taser death of East Point man

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The Fulton County Medical Examiner has ruled the death of Gregory Towns a homicide.



[Witness describes police Taser shooting in which man died](#)



[Former officers indicted in Taser death of East Point man](#)

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EAST POINT, Ga. —

Two former East Point police officers have been charged in the 2014 death of a man who was Tasered while handcuffed, according to Channel 2's Mark Winne.

The sources tell Winne that Cpl. Howard Weems and Sgt. Marcus Eberhart were indicted on seven charges Tuesday, including involuntary manslaughter and felony murder.

Gregory Towns died April 11 following a confrontation with the officers.

According to Towns' family attorney, Chris Stewart, Towns was not resisting when was stunned repeatedly with Tasers while handcuffed shortly before dying.

A lawsuit, filed by the family of Towns, claims an officer Tased him up to 13 times while he was in handcuffs.

Channel 2's Liz Artz received a statement from police about the indictments against the two former officers in connection with the Taser death.

We broke the news of the indictments against Cpl. Howard Weems and Sgt. Marcus Eberhart on the WSB-TV app and Channel 2 Action News at Noon.

Artz spoke to Claudia Towns minutes after an indictment came down charging the two former police officers with murder for her son Gregory Towns' death.

"He was my only boy, my only boy my only son," Claudia Towns said.

Artz made several phone calls to the attorneys representing Sgt. Marcus Eberhart and Cpl. Howard Weems. Eberharts Attorney's said they have no comment at this time about the indictment. Weems' attorney Don English gave Artz the following statement:

"I can state that Officer Weems is disappointed in the grand jury's decision but is looking forward to clearing his name at trial where all the evidence will be heard, not just the state's version.

He will be giving you a more detailed statement at a later date."

Stewart told Artz the indictment is one more step in the right direction.

"It'll be good enough when officers realize they're going to be held accountable just like your everyday citizen who goes to jail when they do something wrong," Stewart said.

Stewart commended East Point's former chief for acting swiftly with disciplinary action, firing Cpl. Howard Weems within months of the incident last year, the city settled a hefty lawsuit and all East Point officers were banned from Taser use until they completed advanced training.

"It's a step towards justice but we're not there yet," Stewart said.

A trial date has not been set, and it's unknown if the officers will be tried together.